

**FIFTY-FIRST LEGISLATIVE DAY
TUESDAY, MARCH 1, 2005**

House of Representatives

The House convened at 10:45 a.m., the Speaker in the Chair.

Roll call showed all 70 members present.

Prayer was offered by Representative Raybould.

The Pledge of Allegiance was led by Rachel Arnett, Page.

Approval of Journal

March 1, 2005

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Fiftieth Legislative Day and recommend that same be adopted as corrected.

FIELD(18), Chairman

Mrs. Field(18) moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

**Consideration of Messages from the
Governor and the Senate**

February 28, 2005

Mr. Speaker:

I transmit herewith enrolled **S 1032** and **S 1033** for the signature of the Speaker.

WOOD, Secretary

The Speaker announced he was about to sign enrolled **S 1032** and **S 1033** and, when so signed, ordered them returned to the Senate.

March 1, 2005

Mr. Speaker:

I return herewith enrolled **H 66, H 51, H 59, H 91, H 24, H 39, H 22, and H 126** which have been signed by the President.

WOOD, Secretary

Enrolled **H 66, H 51, H 59, H 91, H 24, H 39, H 22, and H 126** were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

February 28, 2005

Mr. Speaker:

I transmit herewith **SCR 110, SCR 113, S 1127, S 1106, S 1114, and S 1100** which have passed the Senate.

WOOD, Secretary

SCR 110, SCR 113, S 1127, S 1106, S 1114, and S 1100 were filed for first reading.

Report of Standing Committees

March 1, 2005

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **H 272, H 273, H 274, H 275, H 276, and H 277**.

FIELD(18), Chairman

H 273, H 275, H 276, and H 277 were referred to the Revenue and Taxation Committee.

H 274 was referred to the Education Committee.

H 272 was filed for second reading.

February 28, 2005

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **HCR 7, HJM 1, and HJM 2** to the Secretary of State at 11:23 a.m., as of this date, February 28, 2005.

FIELD(18), Chairman

February 28, 2005

Mr. Speaker:

We, your COMMITTEE ON TRANSPORTATION AND DEFENSE, report that we have had under consideration **H 193, H 182, H 186, and S 1083** and recommend that they do pass.

WOOD, Chairman

H 193, H 182, H 186, and S 1083 were filed for second reading.

February 28, 2005

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration **S 1141 and SCR 107** and recommend that they do pass.

BLOCK, Chairman

S 1141 and SCR 107 were filed for second reading.

February 28, 2005

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration **H 195** and report it back with amendments attached to be placed on General Orders for consideration.

BLOCK, Chairman

H 195 was placed on General Orders for consideration.

February 28, 2005

Mr. Speaker:

We, your COMMITTEE ON TRANSPORTATION AND DEFENSE, report that we have had under consideration **H 185** and report it back with amendments attached to be placed on General Orders for consideration.

WOOD, Chairman

H 185 was placed on General Orders for consideration.

February 28, 2005

Mr. Speaker:

We, your COMMITTEE ON ENVIRONMENT, ENERGY, AND TECHNOLOGY, report that we have had under consideration **SJM 105** and recommend that it do pass.

RAYBOULD, Chairman

SJM 105 was filed for second reading.

March 1, 2005

Mr. Speaker:

We, your COMMITTEE ON EDUCATION, report that we have had under consideration **S 1002** and **SCR 112** and recommend that they do pass.

BARRACLOUGH, Chairman

S 1002 and **SCR 112** were filed for second reading.

March 1, 2005

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration **H 226**, **H 227**, and **H 249** and recommend that they do pass.

DEAL, Chairman

H 226, **H 227**, and **H 249** were filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

Motions, Memorials, and Resolutions

HOUSE JOINT MEMORIAL NO. 4 BY STATE AFFAIRS COMMITTEE

A JOINT MEMORIAL

TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES IN CONGRESS ASSEMBLED, AND TO THE CONGRESSIONAL DELEGATION REPRESENTING THE STATE OF IDAHO IN THE CONGRESS OF THE UNITED STATES.

We, your Memorialists, the House of Representatives and the Senate of the State of Idaho assembled in the First Regular Session of the Fifty-eighth Idaho Legislature, do hereby respectfully represent that:

WHEREAS, the state of Idaho is very diversified in its agricultural production; and

WHEREAS, in January 2002, the federal government announced that it was initiating negotiations on a free trade agreement involving the countries of El Salvador, Guatemala, Honduras and Nicaragua. These negotiations concluded in December 2003. Negotiations with Costa Rica and the Dominican Republic were subsequently completed and are now included in the agreement. Congress must now decide whether to ratify the Central America Free Trade Agreement (CAFTA); and

WHEREAS, the federal government is also negotiating the Free Trade Area of the Americas (FTAA) agreement; and

WHEREAS, both CAFTA and the FTAA would allow these foreign countries to export commodities to the United States, harming Idaho agricultural industry in the process; and

WHEREAS, the agricultural producers of the United States cannot be expected to compete with these foreign countries under free trade agreements due to the labor practices, lack of environmental regulations and subsidized agricultural production of these foreign countries; and

WHEREAS, sugar is an import-sensitive commodity which will be negatively impacted by CAFTA. Idaho is our nation's second-largest producer of sugarbeets and a recent University of Idaho study concludes that the demise of the sugar industry in the state would also have a serious impact on market prices relating to other Idaho crops such as potatoes and onions which would be grown in place of sugarbeets; and

WHEREAS, the CAFTA nations already enjoy preferential, duty-free access into the United States market for 311,700 metric tons of sugar. The United States is presently the world's fourth-largest net importer of sugar under existing trade agreements and its sugar market is already oversupplied, resulting in our region's sugarbeet processing company recently announcing the temporary closure of one of its factories due to the existing low sugar marketing allocations for United States producers; and

WHEREAS, the United States International Trade Commission in August 2004, concluded that the Central American Free Trade Agreement would actually increase the U.S. trade deficit with the region by \$100 million a year to \$2.4 billion a year; and

WHEREAS, concerns over free trade agreements face the agricultural industry at a time when the domestic consumption of United States agricultural products is declining, forcing domestic producers out of business; and

WHEREAS, the state of Idaho stands to lose thousands of jobs and millions of dollars if these free trade agreements are implemented, potentially devastating the state's agricultural industry, moving production into other supply-sensitive crops, and severely harming the state's economy as a whole; and

WHEREAS, the economic impact of any trade agreement must be recognized and considered to maintain viable economic health of agricultural industries, as well as all industries, with an emphasis on fair trade, rather than free trade; and

WHEREAS, the provisions of CAFTA and the FTAA should be renegotiated to limit exports from foreign countries to a needs-based access, allowing the United States agricultural policy to properly function and fairly treat agricultural producers in the United States.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Fifty-eighth Idaho Legislature, the House of Representatives and the Senate concurring therein, that in negotiating any national trade agreements, the federal government is urged to recognize the economic impact of such trade agreements on the states and consider those impacts in order to maintain the viable economic health of agricultural industries, as well as all industries, with an emphasis on fair trade, rather than free trade.

BE IT FURTHER RESOLVED that the federal government is urged to renegotiate the provisions of CAFTA and the FTAA

to limit exports from the involved foreign countries to fairly protect agricultural producers in the United States.

BE IT FURTHER RESOLVED that the Chief Clerk of the House of Representatives be, and she is hereby authorized and directed to forward a copy of this Memorial to the President of the Senate and the Speaker of the House of Representatives of Congress, and the congressional delegation representing the State of Idaho in the Congress of the United States.

HJM 4 was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

SCR 110, by Health and Welfare Committee, was introduced, read the first time by title, and referred to the Ways and Means Committee.

SCR 113, by State Affairs Committee, was introduced, read the first time by title, and referred to the State Affairs Committee.

**Introduction, First Reading, and Reference
of Bills and Joint Resolutions**

**HOUSE BILL NO. 278
BY APPROPRIATIONS COMMITTEE
AN ACT**

APPROPRIATING MONEYS TO THE DEPARTMENT OF COMMERCE AND LABOR FOR FISCAL YEAR 2006; AND LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS.

**HOUSE BILL NO. 279
BY REVENUE AND TAXATION COMMITTEE
AN ACT**

RELATING TO LIMITATION ON BUDGET REQUESTS; AMENDING SECTION 63-802, IDAHO CODE, TO DELETE THE VALUE OF NEW CONSTRUCTION OR CHANGE OF LAND USE CLASSIFICATION FROM BEING EXEMPT FROM THE THREE PERCENT GROWTH FACTOR FOR TAXING DISTRICTS ANNUAL BUDGETS; REPEALING SECTION 63-301A, IDAHO CODE; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

**HOUSE BILL NO. 280
BY REVENUE AND TAXATION COMMITTEE
AN ACT**

RELATING TO CHANGE OF DITCH, CANAL, LATERAL, DRAIN OR BURIED IRRIGATION CONDUIT; AMENDING SECTION 42-1207, IDAHO CODE, TO PROVIDE THE TIME LIMIT WHEN RESTORATION SHALL BE COMPLETED AND TO ELIMINATE A REQUIREMENT TO RECORD LOCATIONS; AND AMENDING SECTION 18-4308, IDAHO CODE, TO PROVIDE THE TIME LIMIT WHEN RESTORATION SHALL BE COMPLETED AND TO ELIMINATE CRIMINAL PENALTIES FOR FAILURE TO RECORD LOCATIONS.

**HOUSE BILL NO. 281
BY REVENUE AND TAXATION COMMITTEE
AN ACT**

RELATING TO LOCAL LAND USE PLANNING; AMENDING SECTION 67-6537, IDAHO CODE, TO SET FORTH PROVISIONS APPLICABLE TO THE USE OF SURFACE WATER FOR NEW LAND USES.

**HOUSE BILL NO. 282
BY STATE AFFAIRS COMMITTEE
AN ACT**

RELATING TO DETERMINATIONS OF MEDICAL INDIGENCY; AMENDING SECTION 31-3502, IDAHO CODE, TO FURTHER DEFINE "RESOURCES" OF AN APPLICANT.

**HOUSE BILL NO. 283
BY STATE AFFAIRS COMMITTEE
AN ACT**

RELATING TO VOTING SYSTEMS IN ELECTIONS; AMENDING SECTION 34-2409, IDAHO CODE, TO PROVIDE THAT VOTING SYSTEMS USED IN THE 2004 ELECTION SHALL BE CONTINUED TO BE AUTHORIZED FOR USE AS LONG AS THE VOTING SYSTEM MEETS THE REQUIREMENTS OF THE HELP AMERICA VOTE ACT OF 2002, TO PROVIDE REQUIREMENTS FOR DIRECT RECORDING ELECTRONIC VOTING DEVICES AND TO PROVIDE THAT THE SECRETARY OF STATE MAY PERIODICALLY REVIEW THE VARIOUS VOTING SYSTEMS THAT HAVE BEEN CERTIFIED FOR USE IN THE STATE TO ENSURE THAT THE SYSTEMS MEET CERTAIN STANDARDS AND TO PROVIDE THAT ANY VOTING SYSTEM THAT DOES NOT MEET THE STANDARDS MAY BE DECERTIFIED AFTER A PUBLIC HEARING.

H 278, H 279, H 280, H 281, H 282, and H 283 were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

S 1114, by State Affairs Committee, was introduced, read the first time by title, and referred to the State Affairs Committee.

S 1127, by Transportation Committee, was introduced, read the first time by title, and referred to the Transportation and Defense Committee.

S 1106, by Agricultural Affairs Committee, was introduced, read the first time by title, and referred to the Revenue and Taxation Committee.

S 1100, by Judiciary and Rules committee, was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee.

There being no objection, the House advanced to the Tenth Order of Business.

Second Reading of Bills and Joint Resolutions

H 152, H 153, and H 154, by Resources and Conservation Committee, were read the second time by title and filed for third reading.

H 263, H 213, H 219, H 220, and H 221, by State Affairs Committee, were read the second time by title and filed for third reading.

H 157, by Judiciary, Rules, and Administration Committee, was read the second time by title and filed for third reading.

S 1050, by Education Committee, was read the second time by title and filed for third reading.

H 165, by Revenue and Taxation Committee, was read the second time by title and filed for third reading.

There being no objection, the House advanced to the Twelfth Order of Business.

Consideration of General Orders

Mr. Denney moved that the House do now resolve itself into a Committee of the Whole House for the consideration of General Orders. Seconded by Ms. Jaquet. Motion carried.

Whereupon the House resolved itself into a Committee of the Whole House for the consideration of General Orders with Mr. Moyle in the Chair.

When the Committee of the Whole House rose, the Speaker returned to the Chair and the House was in order.

Report of the Committee of the Whole House

March 1, 2005

Mr. Speaker:

We, your COMMITTEE OF THE WHOLE HOUSE, report that we have had under consideration **H 94, H 97, H 127, H 130, H 139, H 214, H 68, H 185, and H 195** and report them back without recommendation, amended as follows:

HOUSE AMENDMENT TO H 94

AMENDMENT TO SECTION 2

On page 2 of the printed bill, in line 23 following "prisoner" insert: ", not their spouse".

CORRECTION TO TITLE

On page 1, in line 6 following "CORRECTION" insert: "WHEN THEY ARE NOT SPOUSES".

HOUSE AMENDMENT TO H 97

AMENDMENT TO SECTION 1

On page 1 of the printed bill, delete lines 42 and 43 and on page 2, delete line 1 and insert:

"(c) Has been convicted of any crime, an attempt, a

solicitation or a conspiracy to commit a crime in another state, territory, commonwealth, or other jurisdiction of the United States, including tribal courts and military courts, that is substantially equivalent to the offenses listed in subsection (1)(a) of this section and was required to register as a sex offender in any other state or jurisdiction when he established permanent or temporary residency in Idaho.".

HOUSE AMENDMENT TO H 127

AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 6, delete "repealed." and insert: "amended to read as follows:

31-2224. DELIVERY OF PROPERTY TO SUCCESSOR -- WRITTEN TRANSFER AND RECEIPT. He must also, at the same time, deliver to the new sheriff a written transfer of the property, ~~process, papers and prisoners delivered, specifying the process or order by which each prisoner delivered was committed and detained.~~ The new sheriff must thereupon acknowledge, in writing on a duplicate of the transfer, the receipt of the property, ~~process, papers and prisoners therein specified.~~".

CORRECTION TO TITLE

On page 1, in line 2, delete "REPEALING SECTION 31-2224, IDAHO CODE, APPLICABLE TO"; and delete line 3 and insert: "AMENDING SECTION 31-2224, IDAHO CODE, TO REVISE PROVISIONS RELATING TO WRITTEN TRANSFERS OF PROPERTY FROM FORMER SHERIFFS TO NEW SHERIFFS AND ACKNOWLEDGMENTS OF RECEIPT OF PROPERTY BY NEW SHERIFFS."

HOUSE AMENDMENT TO H 130

AMENDMENTS TO SECTION 1

On page 1 of the printed bill, in line 26 delete "or"; and also in line 26, following "representative" insert: ", or insurance agency"; and in line 27, following "of the" insert: "final".

HOUSE AMENDMENT TO H 139

AMENDMENTS TO SECTION 1

On page 1 of the printed bill, delete lines 11 through 14 and insert:

"(a) The Any regulated utility, telephone company, rural telephone cooperative or municipal communications utility, or their employees, in the installation or maintenance of communication circuits, wires and apparatus by or for such entities or their communications service customers;"; and in line 40, delete "emergency".

HOUSE AMENDMENT TO H 214

AMENDMENTS TO SECTION 1

On page 2 of the printed bill, in line 36, following "age." insert: "The commission shall review the rules from time to time, or upon petition to the commission, to ensure that the uniform procedures and protocols continue to be the most scientifically and technologically accurate and reliable means of detecting stray

current or voltage. If the commission determines that it is appropriate to revise the rules because of advances in science or technology, it is encouraged to do so by the adoption of temporary rules which would confer a benefit on utilities and dairy producers by making better science available for the measurement of stray current or voltage."; on page 4, in line 38, delete "action, and"; delete lines 39 and 40 and insert: "action."; and in line 44, delete "six (6)" and insert: "twelve (12)".

CORRECTION TO TITLE

On page 1, in line 5, following "RULES," insert: "TO PROVIDE FOR THE REVIEW AND REVISION OF PROMULGATED RULES,".

HOUSE AMENDMENT TO H 68

AMENDMENTS TO SECTION 1

On page 2 of the printed bill, in line 12, following "any" insert: "recreational"; in line 14, delete "unimproved terrain or" and insert: "designated"; and also in line 14, following "roads" insert: ", traveling on four (4) or more low-pressure tires of ten (10) psi or less, maximum width less than sixty (60) inches, maximum weight less than one thousand eight hundred fifty (1,850) pounds, or having a wheelbase of ninety (90) inches or less"; in line 16, following "person," insert: "or"; and in line 17, following "Code" delete the remainder of the line and delete all of line 18, and insert: "."".

AMENDMENTS TO SECTION 5

On page 6, in line 51, following "any" insert: "recreational"; in line 53, delete "unimproved terrain or" and insert: "designated"; and also in line 53 following "roads" insert: ", traveling on four (4) or more low-pressure tires of ten (10) psi or less, maximum width less than sixty (60) inches, maximum weight less than one thousand eight hundred fifty (1,850) pounds, or having a wheelbase of ninety (90) inches or less"; on page 7, in line 2, following "person," insert: "or"; and in line 3, following "Code" delete the remainder of the line and delete all of line 4, and insert: "."".

HOUSE AMENDMENTS TO H 185

AMENDMENT TO SECTION 3

On page 6 of the printed bill, in line 25, delete "state".

AMENDMENTS TO SECTION 5

On page 9, in line 9, delete "STATE"; in line 11, delete "state"; in line 14, delete "state"; and delete lines 16, 17 and 18.

CORRECTION TO TITLE

On page 1, in line 2, delete "MOTOR VEHICLE LAW AND"; and in line 12, delete "STATE".

HOUSE AMENDMENT TO H 195

AMENDMENT TO SECTION 1

On page 1 of the printed bill, delete lines 31 through 34 and insert: "lives who will depend on the program, the director shall establish a reserve for the Chip Plan B. The Chip Plan B advisory

board shall consider the number of enrollees and consider the level of benefits. The director shall annually report the fund's status to the joint finance-appropriations".

MOYLE, Chairman

Mr. Moyle moved that the report be adopted. Seconded by Mr. Denney.

Whereupon the Speaker declared the report adopted.

H 94, as amended, **H 97**, as amended, **H 127**, as amended, **H 130**, as amended, **H 139**, as amended, **H 214**, as amended, **H 68**, as amended, **H 185**, as amended, and **H 195**, as amended, were referred to the Judiciary, Rules, and Administration Committee for engrossing.

The amendments were referred to Judiciary, Rules, and Administration committee for printing.

Miscellaneous and Unfinished Business

The motion for reconsideration having previously passed, **H 137** was placed before the House for final consideration.

At this time, the Speaker recognized Ms. Jaquet and Mr. Snodgrass to open debate.

The question being, "Shall **H 137** pass?"

Roll call resulted as follows:

AYES -- Anderson, Bastian, Bell, Bilbao, Black, Block, Boe, Chadderdon, Collins, Deal, Edmunson, Field(23), Garrett, Henderson, Jaquet, Jones, Martinez, Miller, Mitchell, Nonini, Pasley-Stuart, Pence, Ring, Ringo, Rusche, Sayler, Shepherd(2), Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills. Total -- 34.

NAYS -- Andrus, Barraclough, Barrett, Bayer, Bedke, Bolz, Bradford, Cannon, Clark, Crow, Denney, Ellsworth, Eskridge, Field(18), Hart, Harwood, Henbest, Kemp, Lake, LeFavour, Loertscher, Mathews, McGeachin, McKague, Moyle, Nielsen, Raybould, Roberts, Rydalch, Sali, Schaefer, Shepherd(8), Shirley, Skippen, Wood, Mr. Speaker. Total -- 36.

Paired Vote:

AYE -- Mitchell. NAY -- Clark.

(Pair enumerated in roll call above.)

Total -- 70.

Whereupon the Speaker declared **H 137** failed to pass the House and ordered the bill filed in the Office of the Chief Clerk.

There being no objection, the House returned to the Eleventh Order of Business.

Third Reading of Bills and Joint Resolutions

Mr. Denney moved that the House recess until 1 p.m. Seconded by Mr. Sayler. Motion carried.

Whereupon the Speaker declared the House at recess until

1 p.m.

RECESS

Afternoon Session

The House reconvened at 1 p.m., the Speaker in the Chair.

Roll call showed all 70 members present.

Prior to recess, the House was at the Eleventh Order of Business.

Third Reading of Bills and Joint Resolutions

H 262 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Ringo to open debate.

The question being, "Shall **H 262** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Eskridge, Field(18), Field(23), Garrett, Harwood, Henbest, Henderson, Jaquet, Jones, Kemp, Lake, LeFavour, Martinez, Miller, Mitchell, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Rusche, Rydalch, Salyer, Shepherd(2), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 55.

NAYS -- Barrett, Crow, Ellsworth, Hart, Loertscher, Mathews, McGeachin, McKague, Moyle, Nielsen, Roberts, Sali, Schaefer, Shepherd(8), Wood. Total -- 15.

Total -- 70.

Whereupon the Speaker declared **H 262** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 155 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. LeFavour to open debate.

The question being, "Shall **H 155** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bastian, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Jones, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, Miller, Mitchell, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Salyer, Schaefer, Shepherd(2),

Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 64.

NAYS -- Barrett, McKague, Moyle, Wood. Total -- 4.

Absent and excused -- Black, Collins. Total -- 2.

Total -- 70.

Whereupon the Speaker declared **H 155** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 204 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Shirley to open debate.

The question being, "Shall **H 204** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Jones, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Salyer, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 67.

NAYS -- None.

Absent and excused -- Black, Collins, Crow. Total -- 3.

Total -- 70.

Whereupon the Speaker declared **H 204** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 205 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. LeFavour to open debate.

The question being, "Shall **H 205** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Jones, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Salyer, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 68.

NAYS -- None.

Absent and excused -- Black, Collins. Total -- 2.
Total -- 70.

Whereupon the Speaker declared **H 205** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 206 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Harwood to open debate.

The question being, "Shall **H 206** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bastian, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Jones, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 67.

NAYS -- Barrett. Total -- 1.

Absent and excused -- Black, Collins. Total -- 2.
Total -- 70.

Whereupon the Speaker declared **H 206** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 207 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Hart to open debate.

The question being, "Shall **H 207** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bastian, Bedke, Bell, Bilbao, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Jones, Kemp, Lake, LeFavour, Martinez, Mathews, McGeachin, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sayler, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 62.

NAYS -- Barrett, Loertscher, McKague, Schaefer, Wood. Total -- 5.

Absent and excused -- Bayer, Black, Sali. Total -- 3.
Total -- 70.

Whereupon the Speaker declared **H 207** passed the House.

Title was approved and the bill was ordered transmitted to the Senate.

H 125 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Crow to open debate.

The question being, "Shall **H 125** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bastian, Bedke, Bell, Bilbao, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Jones, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Rusche, Rydalch, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 65.

NAYS -- None.

Absent and excused -- Barraclough, Bayer, Black, Roberts, Sali. Total -- 5.

Total -- 70.

Whereupon the Speaker declared **H 125** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 190 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. McGeachin and Mrs. Garrett to open debate.

Pursuant to Rule 38(3), Mrs. Garrett disclosed a conflict of interest regarding **H 190**.

The question being, "Shall **H 190** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Jones, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 68.

NAYS -- None.

Absent and excused -- Black, Roberts. Total -- 2.
Total -- 70.

Whereupon the Speaker declared **H 190** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Denney asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one Legislative Day. There being no objection, it was so ordered.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Moyle moved that the House adjourn until 10:45 a.m., Wednesday, March 2, 2005. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House adjourned at 2:05 p.m.

BRUCE NEWCOMB, Speaker

ATTEST:

PAMM JUKER, Chief Clerk